DESERT AND MOUNTAIN CONSERVATION AUTHORITY
44811 North Date Avenue, Suite G
Lancaster, California 93534
Phone (310) 589-3200 • Fax (310) 589-2408

DRAFT

October 23, 2014

Ronald Kosinski
Deputy District Director - Division 7
California Department of Transportation
110 South Main Street
Los Angeles, California 90012

Draft EIR - EIS Comments
High Desert Corridor Project
SCH No. 201009084 EA 2600U/071200035

Dear Mr. Kosinski

The proposed contiguous 63-mile-long project, and all of its build alternatives, will fundamentally and irreversibly alter and degrade the Antelope Valley ecosystem and much of its surrounding mountain ecosystems. The inevitable permanent, wholesale direct and indirect degradation of hundreds of square miles of habitat would result in multiple unavoidable, regionally significant, adverse biological impacts that have not been adequately mitigated. The Draft Environmental Impact Report - Environmental Impact Statement (Draft EIR-EIS) fails to analyze or even speculate on how this proposed bifurcation of a regional valley will erode the ecology of the area. The Draft EIR-EIS will remain inadequate until it includes extensive additional mitigation to reduce this inevitable degradation of the Antelope Valley ecosystem.

The Draft EIR-EIS is deficient for totally failing to consider ecosystem-wide deterioration in both the immediate term, and there on in, for the life of the project and the growth it inevitably will induce over two centuries or more. The myopic document addresses just the proposed transportation corridor route as if it exists in an 8,000-acre ecological vacuum.

The Draft EIR-EIS wholesale relies on a few under-crossings at just the largest north-south drainages to convey wildlife across the proposed 300-500 foot-wide transportation corridor. Four to five sizeable under-crossings to connect approximately 40 miles of natural desert interface over a 63-mile span is ecologically inadequate. The Draft EIR-EIS is also deficient for not addressing known and potential land use issues on either side of the four to five sizeable under-crossings that could significantly limit their future effectiveness as the only north-south quality freeway wildlife crossings in the entire Antelope Valley.

To our knowledge there is no wildlife-usable freeway under-crossing in the American deserts that spans underneath 500 feet of lighted, or unlit, transportation development. A 500-foot-long wildlife under-crossing works for a 500-1,000 foot trestle-elevated freeway span of a desert wash–such as Big Rock Wash. However, a 500-foot-long wildlife under-crossing via a 9-foot-tall and 12-foot-wide concrete culvert does not work based on viable culvert length to width - openness - ratios used by conservation biologists.

Of the 132 culverts addressed in Table 2-1 *High Desert Corridor Wildlife Crossings,* zero culverts have a height of 9-feet and just one has a width greater than 10-feet. The absolute minimum width of the transportation corridor that needs to be spanned underground by wildlife crossings is 300 feet. Recent Caltrans studies for a new dedicated wildlife under-crossing of the 101 freeway at Liberty Canyon show that a 10-foot-tall and 13-foot-wide concrete box that is 310 feet long would be marginally effective for many more-timid large and medium-sized mammals that are present in the Antelope Valley. Given that none of the proposed new HDC culverts even approach the necessary culvert dimensions for a 300-foot span, the Draft EIR-EIS analysis that relies on these 132 insufficient sized culverts for habitat connectivity mitigation is inadequate.

Given that the HDC is 100 percent in the planning stages, there is no planning, financial, or ecological excuse not to provide at least one 15-foot-wide and 10-foot-tall wildlife culvert for each one-mile-long increment of natural desert crossed by the eventual transportation corridor alignment. In locations where a 10-foot-height is not obtainable, the width of the culverts should be 20 feet. These ecologically functional, larger dimension culverts should occur where some of the described 132 culverts are located to serve the dual use for drainage.

The EIR-EIS will remain deficient until it includes these larger culverts at minimum one mile intervals where natural or disturbed natural land now exists on both sides of the proposed alignments. It will remain further deficient until the EIR-EIS explicitly identifies these larger wildlife culverts as designated wildlife crossings and in addition provides reasonable analysis on their potential effectiveness for said purpose based on many natural and anthropomorphic conditions on both immediate sides of the transportation corridor, including lighting.

It is imperative that no wildlife crossing structure identified in the EIR-EIS be constructed at less of a dimension than is represented in the Final EIR-EIS. If such a reduction in culvert construction dimension occurs, there must be a substantial increase in the dimensions of a nearby culvert to compensate for the lost connectivity potential.

The EIR-EIS shall remain deficient until it addresses and mitigates for the indirect degradation of habitat that parallels the proposed project for a distance of up to 1000 feet. Undoubtedly habitat within 100 feet of a six to eight lane highway with a highspeed rail line down the center does not have the ecological value of that same habitat minus the roadway. Undoubtedly

habitat 200 feet from the proposed project that is hemmed in by this said transportation corridor on one side does not have the same ecological value as equivalent habitat that is not hemmed in on one side. These distances are definite and thus conservative. More likely the value of any habitat located within 300 feet of the proposed transportation corridor would be substantially and permanently diminished. If such habitat degradation were tallied for just half of the 63-mile-long transportation corridor at distance of 200 feet on each side of the roadway, the adversely affected habitat not addressed in the Draft EIR-EIS would be over 1500 acres.

Although admittedly difficult to quantify, the amount of habitat degradation caused by every build project alternative must also include hundreds of additional acres of direct impact from growth-inducement.

The functionality of thousands of acres additional habitat within two miles of the corridor will also be adversely affected. For example, if a species now does not exist within such areas, or does exist and is eliminated by some cause, the potential for re-population of the site, or re-population with expanded genetic diversity individuals, will be reduced because the highway side is a barrier to wildlife immigration from that direction.

The adverse effects of these unavoidable significant adverse impacts to wildlife movement and permanent indirect degradation of thousands of acres outside of the project boundary can be reduced by the immediate strategic permanent protection of land. That land acquisition ideally would occur by adequate-sized wildlife crossing culverts (minimum 10-foot-tall by 15-foot-wide) to better guarantee that long-term effectiveness.

The EIR-EIS shall remain inadequate for the disruption of regional wildlife movement, indirect degradation of thousands of acres of right-of-way adjacent habitat, and severing of a regional desert ecosystem unless it includes mitigation that guarantees the permanent protection of over 6,000 acres of natural land that is situated to substantially minimize these impacts. Because large landscape scale connectivity in at least 4-5 acquisition areas needs to be protected with this land acquisition mitigation, no less that 6,000 acres is adequate to accomplish scale connectivity to nearby natural areas - protected or unprotected.

The Desert and Mountain Conservation Authority (DMCA) staff would like to participate in that land acquisition strategy. At $4,000 per acre, the minimum amount of funding to be set aside for the direct capital input on natural land acquisition is $20,000,000. That is in 2014 dollars. Each calendar year of delay should add $1,000,000. That funding should also include $1,000,000 for pre-acquisition costs by the government agency purchasing the property. This money must be made available in whole to the agency carrying out the mitigation as one of the first costs funded when the first phase of project implementation funding is awarded. Any later juncture in the project implementation sequence would jeopardize the ability to acquire key parcels at an affordable rate. If key parcels are not acquired, the mitigation measure loses substantial effectiveness. The DMCA recommends that Caltrans fund the DMCA or the

Mountains Recreation and Conservation Authority (MRCA) with $2,000,000 immediately to begin an initial land acquisition effort once the EIR-EIS is beyond judicial challenge.

For the record, the DMCA's October 29, 2010 comment letter on Notice of Preparation and Scoping was not included in the Draft EIR-EIS. It is attached for the record.

Please direct any questions to Paul Edelman of our staff at 310-589-3200 ext. 128 and mail any comments to his attention at the above letterhead address.

Sincerely,

JIM DODSON
Chair

Enclosure

DESERT AND MOUNTAIN CONSERVATION AUTHORITY
44811 North Date Avenue, Suite G
Lancaster, California 93534
Phone (310) 589-3200 • Fax (310) 589-2408

October 29, 2010

Ronald J. Kosinski
Deputy District Director
Division of Environmental Planning
Caltrans, District 7
100 South Main Street, Mailstop 16A (Project: HDC)
Los Angeles, CA 90012

High Desert Corridor
Project Scoping

Dear Mr. Kosinski:

The Desert and Mountains Conservation Authority (DMCA) is highly concerned about the proposed High Desert Corridor Freeway/Expressway Project and its severe direct and indirect impacts on fragile desert ecology. Caltrans is proposing a brand new freeway through a largely undeveloped area prone to sprawl in an era when the national consensus has turned markedly away from such growth-inducing projects. In addition, the proposed project violates all the tenets of conservation biology by dividing the largest contiguous core habitat block in Los Angeles County. Freight movement is an important component of economic activity, which is why Caltrans' misplaced focus on alleviating future passenger vehicle traffic is disappointing. The DMCA urges a reassessment of the goals of the project and a full cost-benefit accounting of externalities from freeway construction, including the cost of fully mitigating impacts to biological resources. Alternatives that accommodate goods movement and passenger rail without subsidizing passenger vehicle travel are environmentally superior.

Purpose and Need Statement Must be More Focused and Specific

The Purpose and Need statement does not accurately characterize the nature of growth in the Antelope Valley. Growth and transportation capacity expansions have a dynamic interaction, but recent research has demonstrated almost unequivocally that capacity expansions induce growth until the system returns to equilibrium, often at the same or even worse level of congestion. Contrary to the statement's assertion that "Improvements to this corridor are considered necessary to provide for the existing and projected traffic demand attributed to residential growth and increasing developments," construction of a new multilane freeway in this corridor would induce new traffic-producing residential development that would not occur

otherwise. This proposed capacity expansion would be the cause of new development, rather than a prudent response to it. The Purpose and Need statement must be revised to reflect current understanding of the interaction between housing and transportation. A more specific focus on goods movement and passenger rail would properly focus the statement on the intended economic benefit of the project and serve as a better basis for evaluating the proposed alternatives.

Impacts to Biological Resources and Habitat Connectivity Must be Fully Mitigated

The DMCA does not oppose economic development in the Antelope Valley, but is deeply committed to protecting its biological function and visual resources. Linear transportation corridors are particularly damaging to desert ecology because they divide formerly contiguous habitat blocks and drainage regimes. Over time, populations that can no longer interact with individuals on the other side of the road become genetically isolated. In other locations, specific wildlife crossing structures built after the fact partially remedy this imbalance at a cost of millions of dollars. No road has ever been built that is not a genetic barrier to some extent. While some mammals can safely cross a two-lane road with light traffic, a four-lane, high-speed freeway or expressway will all but eliminate genetic exchange without implementing extensive wildlife-specific design. The Environmental Impact Report (EIR) must conduct a thorough review of best practices for wildlife crossing design, with a particular focus on examples in other desert ecosystems. The results of this review must be incorporated into the design of all potential alternatives. The proposed project must be the most wildlife-permeable roadway ever designed.

The corridor alignment also crosses multiple desert washes of great biological importance. Freeway construction will unavoidably disturb the streambeds, but final design must minimize impacts to the hydrologic and biological function of these unique landscape features. Undercrossings must maximize stream channel width and maximize avoidance of impacts within the 100-year floodplain. Bridge openings must be designed to maximize wildlife movement. All major washes along the Los Angeles County portion of the alignment must have clear openings at least 125 feet wide with 12 feet of vertical clearance, with some support pillars as needed. The EIR must design all alternatives to maximize avoidance of hydrological impacts.

Project Must be Designed to Minimize Potential for Induced Growth

In addition to the aforementioned direct impacts from roadway construction, the indirect impacts from a traditional freeway project in this corridor would be immense. Without appropriate controls, induced residential growth would sprawl along the route and overwhelm the new capacity with commuters heading to Santa Clarita, the San Fernando Valley, and Los Angeles, or east to the Inland Empire. Worse, these new trips would collect on already

overburdened freeways such as the 14, 5, and 15, prompting calls for future widening. Any induced residential growth in the corridor would eliminate the freight movement benefits of the project. The air quality and greenhouse gas impacts must be evaluated using long-term models accounting for induced demand. The EIR must also demonstrate consistency with greenhouse gas reduction goals from AB 32 and SB 375. Short-term congestion relief is not an air quality benefit if it leads to greater vehicle-miles travelled in the long term.

Of greatest concern is the habitat lost due to residential expansion into natural areas. Freeway capacity expansion encourages low-density residential development in previously inaccessible areas by lowering the economic threshold of development. The physical footprint of freeway-associated development will displace local flora and fauna and increase habitat fragmentation to the extent that development parallels the transportation corridor. If housing is developed continuously along the freeway, then even the most advanced wildlife crossing structure will not overcome this impermeable barrier. To prevent these effects, the project must include acquisition of large habitat blocks on both sides of crossing structures to protect the passages from development and edge effects that deter successful crossing.

Habitat and Connectivity Loss Must be Mitigated through Acquisition

The EIR will be deficient if it does not include an inventory and economic analysis of private parcels along the route with the potential to be developed and propose and fund a habitat acquisition plan to mitigate the impacts from induced growth. This analysis must include all parcels within two miles of the project corridor and five miles upstream and downstream along intersecting riparian corridors. To protect habitat linkages, ecosystem connectivity, and resource values, a continuous buffer area ¼-mile wide on both sides of the freeway must be acquired and transferred in fee ownership to a public land management agency such as the DMCA or Mountains Recreation and Conservation Authority (MRCA). We encourage Caltrans to work with DMCA and MRCA staff to develop an acceptable land acquisition mitigation measure.

A Full Range of Freeway Alternatives and Management Scenarios Must be Considered

Given these impacts, the DMCA must question the prudence of this project's scope. With a revised Purpose and Need statement, Caltrans can focus on lower-hanging fruit to improve goods movement without the massive environmental impact of a new freeway. TDM strategies or local intersection improvements can relieve bottlenecks using existing infrastructure at a fraction of the cost and minimal environmental impact. Safety improvements along existing routes will also reduce delays resulting from periodic traffic incidents. Any natural event that warrants closing SR 14 or 138 will also affect the new freeway, limiting its usefulness as an emergency route. Improving passenger vehicle mobility and emergency access must be removed from the Purpose and Need statement as they are either not beneficial or dubious

assertions. The EIR must identify the marginal benefit in travel time and safety resulting from each proposed project feature as well as each feature's marginal cost. Externalities must be monetized to the extent possible and included as a project cost.

If the environmental analysis determines that a new transportation corridor is cost-effective, then the project must be defined in a way that maximizes its utility for goods movement while minimizing growth-inducing effects. To that end, the project should be tolled to reduce its attractiveness as a commute option while increasing its effectiveness at transporting high-value freight. There should be no local access outside of existing urban areas (only Palmdale and Victorville) and no rights for developers to build future interchanges along the route. As previously mentioned, a continuous corridor on both sides of the facility should be acquired and transferred to a public land management agency. The EIR must evaluate alternative management scenarios, including tolling, and their effect on induced growth.

Infrastructure Must be Designed for Long-Term Sustainability

The DMCA supports the project's inclusion of a rail right-of-way at this time to accommodate future infrastructure development. With multiple high-speed passenger rail projects proposed in the vicinity, it is fiscally and environmentally prudent to plan for their eventual connection now and incorporate any mitigation measures into this single project. In this way, wildlife crossings, bridge structures, and other physical improvements can be integrated to be more cost-effective and less temporally disruptive.

The DMCA does not support bisecting the fragile desert ecosystem and is extremely concerned with the growth this project will induce. Housing and transportation are inextricably related and must be analyzed accordingly. We hope to collaborate closely with your agency to minimize the environmental impacts mentioned above in the design phase. If you have any questions, I can be reached at (310) 589-3230 ext. 128.

Sincerely,

PAUL EDELMAN
Chief of Natural Resources and Planning